

Protection in Rotary

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What is the Purpose of the RIBI Protection Policy?

To give guidance to enable Districts, Clubs and individual members to meet legislative requirements.

To give support and guidance to Districts, Clubs and Individual members on carrying out their Rotarian duties to ensure their well being.

To ensure Districts, Clubs and Individual members are covered by the RIBI Insurance Policy in all their activities

To provide legal support and advice in the event of any allegation or claim being made against a District, Club or Individual member

What it is NOT - is just a bureaucratic exercise

General Statement

The Protection and Safeguarding of children and adults who may be vulnerable, is a paramount concern for every Rotarian.

Any project or activity planned and carried out by a club **MUST** give consideration to the safety and well being of any child or vulnerable adult who is benefiting from or participating in that project or activity.

Consideration must also be given as to whether any Rotarian or Volunteer participating requires a DBS check. This should be part of the Risk Assessment that must be carried out for all Rotary activities.



Key Changes from September 2012

- Introduction of minimum age 16 years can apply for DBS check
- Repeal of registration and Monitoring
- Repeal of Controlled Activity
- New Definition of regulated Activity Children and Adults
- Provision of Statutory Guidance on supervision of children

Disclosure and Barring

On 1st December 2012 the Independent and Safeguarding Authority (ISA) and the Criminal Records Bureau (CRB) combined to become the Disclosure and Barring Service (DBS). This means there would be one authority carrying out Criminal Records Checks and Checking the Barred Lists (people who had been barred from working with Children or Adults)

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**1<sup>st</sup> December 2012**

Criminal Records Bureau (CRB)

+

Independent Safeguarding Authority (ISA)

=

Disclosure and Barring Service (DBS)

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All Checks carried out by one Authority



## **New Update Service June 2013 - You may never need to apply for another DBS check again**

**If the application form/DBS Certificate was issued for a voluntary position the subscription is free-of-charge.**

If you subscribe to the Update Service an organisation will be able to go online, with your consent, and carry out a free, instant check for the same workforce, where the same type and level of check is required to find out if the information released on the DBS certificate is current and up to date.

**DBS filter certain old and minor cautions and convictions, reprimands and warnings from criminal record certificates**

# Activities with Children

When Rotarians/supporters are to be involved:

in a Regulated Activity with Children

in a Specified Establishment

meet the Time Period condition

and have the opportunity to have contact with Children as  
a result of anything he/she is permitted or required to do  
in connection with the activity

**they are required** to have an Enhanced DBS  
(formerly CRB) check.



# Regulated Activity relating to children

## 1. **Unsupervised Activities**

Teach, train, instruct, care for or supervise children, provide advice/guidance on well being, drive a vehicle only for children.

## 2. **Specified Establishments**

Schools, Academies (provision of full time education to under 18's) pupil referral units children's homes, child care premises, children's detention centres, family/children centres

## 3. **Personal Care \* / Health Care \***

For example washing or dressing; or health care by or supervised by a health care professional.

## 4. **Registered Childminding \* and Foster-Carers \***

## 5. **Day to Day management on a regular basis of person providing a regulated activity.**

## 6. **Welsh Offices**

This does not include family or personal arrangements

\* Even if done only once



# Time Period Condition

Once a week or more

4 days or more in a 30 day period

Overnight between 2.00am-6.00am

One of the key changes in legislation from September 2012 is the introduction of “**Supervision**” as part of the criteria for the definition of Regulated Activity.

**The Statutory guidance: Regulated Activity (children) - supervision of activity with children which is regulated activity when unsupervised.**

In such a case, the law makes three main points:

- there must be supervision by a person who is in Regulated Activity;
- the supervision must be regular and day to day; and
- the supervision must be “reasonable in all the circumstances to ensure the protection of children”.

Supervision is required to be consistent for the duration of the activity regardless of the length of time involved. For example if an activity runs for several weeks the supervision must be constant throughout and not intensive at the beginning and tapering off towards the end of the time.

This clearly defines the definition of the Supervision required for any activity and anything less than the required criteria makes the Activity Unsupervised and therefore Regulated and requiring the Enhanced DBS check.



# Activities with Adults

Likewise, if Rotarians are to be involved in a Regulated Activity with Adults who may be considered to be Vulnerable at that particular time, they will need to have an Enhanced DBS (formerly CRB) check.

However there are no Specified Place / Establishment criteria, nor is there a certain number of times that the activity undertaken becomes Regulated. A one off activity can be deemed Regulated, if the adult is deemed to be Vulnerable at that particular time.

# Regulated Activity relating to Adults

The new definition of Regulated Activity relating to adults no longer labels adults as 'vulnerable'. Instead, the definition identifies the activities which, if any adult requires them, lead to that adult being considered vulnerable at that particular time.

This means that the focus is on the activities required by the adult and not on the setting in which the activity is received, nor on the personal characteristics or circumstances of the adult receiving the activities.

There is also no longer a requirement for a person to do the activities a certain number of times before they are engaging in regulated activity.



## The six categories within the new definition of Regulated Activity for Adults:

### 1. **Health Care**

Health care provided by any health care professional or under the direction or supervision of one is regulated activity.

### 2. **Personal Care**

Washing and dressing, eating, drinking and toileting

### 3. **Social Work**

In connection with health or social services

### 4. **Assistance with Household Affairs**

Cash, bills, shopping

### 5. **Assistance with the Conduct of Affairs**

Power of attorney/deputies appointed under the Mental Capacity Act

### 6. **Conveying an Adult**

Must be for health, personal or social care due to age, illness or disability

## Procedure for the DBS check to be completed (1)

- No Charge to Rotarians, District or Club for DBS check
- CPO confirms need for check
- Gets Application form from DPO
- CPO Keeps a record of request and why

*Form C Self Declaration Form **no longer required***

*Please note the DBS forms are only available from the DPO*

- DPO sends forms to CPO with Verification and Identity Check, Form, Completion Guidelines and Update Service Form
- CPO assists applicants in completion of the form.
- It is CPO's responsibility to ensure guidelines for completion are followed or form could be returned by DPO
- CPO checks Identity using Route 1, as stated on Verification Form
- CPO completes registered body use document verification and current address sections
- CPO completes evidence checker questions 58-68 inclusive as per guidelines



## Procedure for the DBS check to be completed (2)

- CPO sends DBS form, Verification form and Update Service form to DPO for signatory and sending to DBS
- DPO double-checks form, signs and sends to DBS
- DBS send Clearance Certificate to Applicant only
- Within 14 days of receipt applicant applies to register for the Update Service (if not done so at time of completion of form)
- Applicant (Rotarian) sends a copy of the form to DPO
- In the event of an offence/concern being disclosed, the DPO should seek advice from the RIBI Protection Officer/CEO before speaking to the applicant or any other member of the club.
- The DBS checks are considered to be valid for a period of three years.

# Club Activities

## Youth Exchange - Youth Camps

### **Statement of conduct for working with youth**

Rotary International has issued the following statement and is taking action to guarantee the standard of care in the host Clubs and Districts worldwide.

*“Statement of conduct for working with youth: Rotary International strives to create and maintain a safe environment for all youth who participate in Rotary activities. Rotarians, Rotarians’ spouses and partners, and other volunteers must safeguard the children and young people they come into contact with and protect them from physical, sexual, and emotional abuse.”*

The current RIBI Policy has been accepted by R.I and enables RIBI to be certificated for Youth Exchange



# Home Hosting

- All potential Hosts to complete Application Form J (in current policy)
- Home Visit and interview with regard to suitability to take place and **only** to be carried out by Independent Person i.e. DPO or CPO from another club.
- Accommodation – own room
- Record of visit made – (form K in current policy)
- All records to be kept indefinitely

When a family is home hosting young people for a Youth Exchange visit or Youth Camp all those aged 16 years and over living (providing care) in the house at the time of the exchange/camp are required to have an Enhanced DBS check. *(Excepting another exchange student)*

Prior to the Exchange, the family has to have been approved and a home visit has to be undertaken by an Independent Person i.e. Youth Exchange Officer, DPO or CPO from another club. Approval of the hosts also has to include initial guidance and preparation for the young person's arrival and during their stay.

This should include such matters as house rules, routines, expected behaviour and consequences of actions. An independent person must also be identified for the young person to share concerns with this can be the DPO. Further information and guidance is available in the Youth Exchange Manual.



## **Information Prior to Arrival**

### Considered Good Practice

- Personal information- family- home circumstances
- Contact with Family
- Exchange photos and information
- Medical conditions, Allergies,
- Consent for emergency surgery, blood transfusion
- Diet - religious, cultural, health, food likes and dislikes
- General likes, dislikes, fears, phobias,
- Animal fears, dogs, cats, spiders etc.
- General interests, hobbies
- How spend time at home
- Wish list of things to do

- **Household Information**

- Accommodation- clothes, storage – heating
- Light on at night – bedroom or outside
- Daily routine – use of bathroom – daily shower/weekly bath/nothing!
- Meal times – main meal time



## **Household Information (continued)**

- Getting up and bed-times – if appropriate
- Getting up in the night – toilet flush
- Feeling unwell – what to do – ladies issues
- Dress code- e.g. no night attire during the day, always dressed for meals or not bothered
- Activities/outings planned – existing commitments - family events
- Religious observance yours and theirs – if any
- House rules – smoking-drinking
- Unacceptable behaviour – e.g. swearing
- Consequences
- Support for hosts if difficulties – where to go
- Young person's concerns, worries, complaints- independent person to contact – information in advance
- Availability of contact with home – regularity.
- Encourage a diary to share with family on return - photos



# Photographs

Rotary is frequently involved in arranging events or projects for children from less fortunate circumstances. Some of these children may be fostered, adopted, victims of domestic abuse or subject to a witness protection programme and therefore safeguarding their location and identity is of vital importance.

- At a Rotary organized event the organizer has the right to prohibit the taking of photographs by spectators and a notice should be displayed to this effect.
- The organizer may choose to identify the photographer at an event and in that case they should wear a badge stating their official status.
- No photographs should be taken on a one-to-one basis without another adult/parent/ Rotarian present.
- The written permission of the parent or guardian should be obtained in advance in the case of children and by the person concerned in the case of a vulnerable adult.

# Photographs (continued)

- Careful consideration should be given particularly at sporting and swimming events that the child or adult is appropriately dressed, which might not be in the clothing worn for the event e.g. swimming costume. No photographs should be taken in the changing areas.
- At school based events many schools have their own policy and this should be adhered to by the Rotarians present. If the decision is that no photographs are to be taken at the event there should be a notice displayed to this effect.
- Additional parental permission should be obtained for photographs to be published on a web-site, magazine or newspaper and then only the child's Christian name should be used.
- It is advised that Form G-“Consent form for the taking of photographs, film or video recording of children or vulnerable adults” in the current Protection Policy should be used at events where photos are to be taken. Particularly at New Generations events if the entry form for the event does not already have a clause relating to photographs.
- When the event is in the public arena and Rotary is there, for example, running a stall or publicizing the organization, photos that are taken by Rotarians should not be published if any children or vulnerable adults could be clearly identified.



# Code of Behaviour

There is a Code of Behaviour in the existing Policy document. This is intended to give practical advice to Rotarians and volunteers in order to reduce the risk of leaving them in a vulnerable position, by actions and behaviour that could be mis-interpreted and then possibly open to allegations.

There is also guidance on what is unacceptable behaviour by Rotarians and the children, and situations to avoid.



# Code of Behaviour

- Common Sense
- Treat with respect - culture
- Own appropriate behaviour
- Respect young person's privacy
- Be aware of behaviour that could be mis-interpreted – touching etc
- No Sexually provocative comments – even in fun
- Avoid physical rough and tumble games
- Be clear on what is unacceptable and consequences



## **Interact Clubs**

The Rotarian Mentors for an Interact Club should have an enhanced DBS check

## **Vocational Exchange**

The outgoing team could well be hosted with a family that has children. Therefore they should have an enhanced DBS check as it will involve an overnight stay.

## **Kids Out**

As a one off event Kids Out does not meet the criteria for DBS checks – so are not required



## Christmas Activities

Pantomime, Father Christmas, Parties,  
Grottos, Sleighs etc

Guidance is available on line and with DPO's  
for distribution to CPO's

# Allegations of Abuse

There should never be any attempt to investigate an allegation of abuse. This should only be carried out by an official authority such as Social Services or the Police.

Remember Abuse takes different forms. - Physical, Neglect, Emotional, Sexual, Financial

## **Allegations of Abuse by Child/Adult**

- Listen
- Re-assure right thing to tell
- Can't keep secret – have to share
- Record
- Do not investigate
- Inform CPO/DPO/RIBI P.O
- Discuss/seek advice re seriousness –further action
- Ensure safety of young person/adult



# Accusations against Rotarians

## Legal Expense Insurance

DAS Legal Expenses Insurance Company Limited provides financial support and Legal Advice in defending a member against legal proceedings with the police where it is alleged that a member has or may have committed a criminal offence OR following an event which leads to a member being prosecuted in a court of criminal jurisdiction relating to alleged abuse claims.

If you think you may have a claim, do not ask a solicitor for advice unless DAS have given their permission. If you do, Insurers will not pay the costs involved.

Tel: 0117-934-2111



# Other Relevant Documents

## Insurance and the Rotary Club July 2012 – Protection

The observance of reasonable care is a standard insurance condition.

## RIBI Protection Policy 2007

## RIBI Health & Safety Policy 2011

Risk Assessment for all Club events

Record any incident

Do not admit liability –state information passed to RIBI Insurance Company

Notify Insurance Company ASAP

## RIBI Equality and Diversity – 2011

The above policies should be accepted by the participating clubs and the form of Acceptance signed by the Club President annually.

(This is to ensure one is covered by the RIBI Insurance Policy)

# What has this been all about?

## You

Ensuring Rotarians have all the information they need to meet legal requirements and be covered by the RIBI Insurance Policy and can have peace of mind and enjoy their Rotary

## Thank You

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